

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

ANTHONY BAZURTO,) Case No. CV 08-4750-JFW(RC)
)
 Petitioner,)
) ORDER ADOPTING REPORT AND
 vs.) RECOMMENDATION OF UNITED STATES
) MAGISTRATE JUDGE
 FERNANDO GONZALEZ,¹)
)
 Respondent.)
 _____)

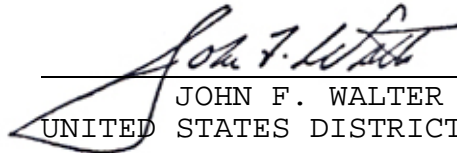
Pursuant to 28 U.S.C. Section 636, the Court has reviewed the Petition and other papers along with the attached Report and Recommendation of United States Magistrate Judge Rosalyn M. Chapman, as well as petitioner's objections, and has made a de novo determination.

IT IS ORDERED that (1) the Report and Recommendation is approved and adopted; (2) the Report and Recommendation is adopted as the findings of fact and conclusions of law herein; and (3) Judgment shall be entered dismissing the habeas corpus petition and action as untimely.

¹ Pursuant to Fed. R. Civ. P. 25(d)(1), Fernando Gonzalez is substituted as the respondent.

1 IT IS FURTHER ORDERED that the Clerk shall serve copies of this
2 Order, the Magistrate Judge's Report and Recommendation and Judgment
3 by the United States mail on petitioner.
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5 DATED: January 28, 2009

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8 JOHN F. WALTER
UNITED STATES DISTRICT JUDGE

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